

EXHIBIT "D-4"

DEPOSITION EXHIBIT NO. 22

R000289, 94

Table 2						
The Church Scientology Sites	Proposed Sandy Springs	43,246	1,400	3%	81	1.87
	Nashville, TN	38,000	1,782	4%	114	3.0
	Dunwoody, GA	11,500	300	2%	Not Provided	-
	Buffalo, NY	58,000	Not provided	-	Not Provided	-
	Staff's Recommendation	32,053	1,400	4%	111	3.46
Other Sandy Springs Places of Worship	Lutheran Church of the Apostles	28,322	8,770	31%	129	4.5
	Dunwoody Community Church	40,380	4,250	11%	174	4.3
	Temple Sinai	64,800	3,695	6%	210	3.2
	The Matthew Leighton Imerman Chabad Center	23,238	3,500	15%	120	5.16

The applicant has indicated that the sanctuary does not generate the largest number of people coming to the site. As such the applicant volunteered parking studies to show the parking needs for the proposed use. The parking studies provided by the applicant examined three (3) existing sites, the current location in the City of Dunwoody, Georgia, Nashville, Tennessee and Buffalo, NY. The location in Nashville has similar square footage 38,000 to the proposed 43,246 square feet at the Sandy Springs location. The Nashville location has provided 114 spaces for 38,000 square feet. This is a ratio of 3 spaces per 1000 square feet. According to this calculation the Sandy Springs site at the applicant's request of 43,246 square feet would require one hundred and thirty 130 spaces. Eighty-one (81) spaces would be provided. There would be a deficit of forty-seven (47) parking space under the proposed use. The parking ratio for the proposed site (Table 2. above) is 1.87 spaces per 1,000 square feet. Other places of worship in Sandy Springs have a much higher ratio and closer to the staff's recommendation of 3.46 spaces per 1,000 square feet.

Based on the information provided by the applicant, the proposed request of 43,246 square feet would not meet the level of parking necessary to support the proposed use at full capacity. Therefore, staff concludes that there would be an inadequate amount of parking for the proposed 43,246 square feet. The site at 32,053 square feet would require ninety-seven (97) spaces. The site currently has one hundred and eleven (111) spaces or a ratio of 3.46 spaces per 1,000 square feet. As such the staff recommends restricting the use of the subject property to the existing 32,053 square foot building with the existing one hundred and eleven (111) spaces.

D. *Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.*

Finding: The staff is of the opinion that the proposal as presented does not provide sufficient parking for the use. Specifically, the sanctuary is not proposed to be the largest portion of the building. This lack of parking could cause an excessive or burdensome use of the existing infrastructure.

E. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.*

Finding: The staff is of the opinion that the proposed use is consistent with the Future Land Use Map, which designates the property as Live-Work Community (LWC). The applicant is proposing to allow for a church in the existing building with an expansion. The proposed density for the development is 24,671.91 square feet per acre. The LWC land use designation recommends a density of up to 25,000 square feet per acre for commercial and office uses plus over 20 residential units per acre. The proposal lends itself to the overall intent of the LWC designated areas that are intended for to serve a group of adjacent neighborhoods and compatible with low and medium density residential neighborhoods.

F. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

Finding: The applicant has indicated that the sanctuary does not generate the largest number of people coming to the proposed church. As such the applicant volunteered parking studies to show the parking needs for the proposed use. The parking studies provided by the applicant examined three (3) existing sites, the current location in the City of Dunwoody, Georgia, Nashville, Tennessee and Buffalo, NY. The location in Nashville has similar square footage 38,000 to the proposed 43,246 square feet at the Sandy Springs location. The Nashville location has provided 114 spaces for 38,000 square feet. This is a ratio of 3 spaces per 1000 square feet. According to this calculation the Sandy Springs site at the applicant's request of 43,246 square feet would require one hundred and thirty 130 spaces. Eighty-one (81) spaces would be provided. There would be a deficit of forty-seven (47) parking space under the proposed use. The parking ratio for the proposed site is 1.87 spaces per 1,000 square feet. Other places of worship in Sandy Springs have a much higher ratio of parking that is closer to the staff's recommendation of 3.46 spaces per 1,000 square feet.

Based on the information provided by the applicant, the proposed request of 43,246 square feet would not meet the level of parking necessary to support the proposed use at full capacity. Therefore, staff concludes that there would be an inadequate amount of parking for the proposed 43,246 square feet. The site at 32,053 square feet would require ninety-seven (97) spaces. The site currently has one hundred and eleven (111) spaces. As such the staff recommends restricting the use of the subject property to the existing 32,053 square foot building with the existing one hundred and eleven (111) spaces.

G. *Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Finding: The staff is of the opinion that the proposal will not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs.